App. F. IX-4

19 49-50
(CB)

File No. 91-49

Serial Nos. 2

Previous References.

98-49-1
98-49-2
243-49-1, 2

Later References.

CNS. 98. 17-51- 18420, 22, 23, 25+026.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. One

Part B for March 50

SUBJECT

Extension of Special leave to Dr E. V. Ramakrishna Iyer I. C. P during his term as Director Indian Textile Institute Calcutta

~~to 91-49-2~~
no 12 752/cs 91-49-2

dt 24. 3. 49

To
The Comptroller
Mysore Gazette

for 5/9/50

Posting of Sri K. Subba Rao, Excise Comr. (on leave)

[App. F .III-2

General and Revenue Secretariat | File No. | of 19 .

N.B
For previous note Para ie 1-34 please refer CB. collection no 243-49-1-2 recorded separately Sen

Serial No.

35) Issued and resubmitted

36) Recd. para 34.

Chief Secy) 37) Secy 6.1.50

6.1.50.

38) Secy file

Chief (Mines) 7.1.50.

39) H.E.D 9/1/50

1) D o letter no B-350/49 dated 9-1-50 from Sen K Subba Rao, B.A., Excise Commissioner in Mysore intimating that he has entered on his duties as Excise Commissioner this forenoon and forwarding copy of letter received from Jamal Ismail Sheriff suggesting postponement of taking charge till 10th Jan '50;

2) Letter no. A11/Per/34 44/49-50 dated 9th Jan 1950 from Jamal Mir Sahdar Hussain B.A Labour Commissioner requesting for cancellation of the leave sanctioned to him.

3) Copy of D o. letter dated 8th January 1950 from ~~Jamal Mahmood S~~ the Minister for P.H.&F addressed to the Hon'ble 7.1.9 ~~Excise~~

4) D o letter no. B1-350/49 d. 9.1.50 from Sen K Subba Rao B A Excise Commissioner forwarding the charge report signed by Jamal Mahmed Ismail Sheriff.

Note.—Contn. Sheet.

Posting of Sri K. Subba Rao Excise Commr (in charge)

File No. of 19 2963/2967 CB General and Revenue Secretariat

Serial No.

40) Minute of the minister for Law and Labour on P.U.D. 3. "Ch. Secy. Keep it in abeyance" 2nd. K.T.B. 8.1.50

41) Note of the Chief Secretary "Read at 3.30 P.M. to day. Sri K. Subba Rao has already taken charge this morning" 2nd. R.S. 9.1.50.

42) Submit for perusal and orders

Chief Secy) 43) Simr 10/1/50

9.1.50. 44) For perusal

45) Janab Sayed Hussain has also handed over charge on 9.1.50 and entered on leave. His having to be on leave is only a temporary Expedient. His posting to a permanent place has to be decided urgently. This is not a Commn matter.

Chief Minister) 11/1 CM/1 xmr 10/1/50

46) Read CM/1 11/1 1/1 Smr 10/1/50

47) Resubmitted for orders

30/1/50. 48) Janab Mir Sajdar Hussain's leave expires on 8.2.50.

30.1.50.

CHIEF SECRETARY 668 10 JAN 1950 GOVT. OF MYSORE

Office of the Chief Minister No. 5685 Date of Receipt 11.1.50

CHIEF SECRETARY 5782 18 JAN 1950 GOVT. OF MYSORE

WD 66329—GPB—25,000—26-7-49

Postings of Officers.

[App. F .III-2

General and Revenue Secretariat

File No. 2964 CB of 19

Serial No.

6158 dii

49) Sri G.V. Ganapatha Iyer is also due to return from leave on the 13th Feb. 1950. He is a permanent officer on a pay of Rs. 1400/- A decision has to be taken regarding this posting also.

Chief Secy) KMR 30/1/50

50) To orders.

Chief Secy) 30/1 KMR 30/1/50

51) May be taken up on the 6th Feb 1950, when I expect the Hon'ble Chief Min will be present. K.C.R 31/1/50

52) Resubmitted for orders. Reference para 51. 4/2 KMR 4/2/50

KMR 6/2

KMR 6/2/50.

Sri 6.2.50.

53) Sri G.V. Ganapathi Iyer is due to return from leave on 26-2-50. He is a permanent officer drawing a pay of Rs. 1400/- ~~He adjustments~~ He holds a permanent lien on the post of D.G. of Police against which Sri G.N. Nagaraja Rao is now acting.

With the appointment of Sri K Gunadutt, Dir of Food Supplies as offg.

Note.—Contn. Sheet.

Serial No.

Dir of Public Instruction the post of Dir of Food Supplies is now vacant and Janab Syed Ahmed Khadri Supdt of Land Records is in addl. charge of the duties of Dir of Food Supplies

54) Sri E V Ganapathi Iyer who is due to return from leave on 26-2-50 may be posted as D.G. of Police and Sri G N. Nagaraja Rao as ag. Dir of Food Supplies or Sri Ganapathi Iyer may be posted as Dir of Food Supplies if it is considered not necessary to disturb Sri Nagaraja Rao who was recently posted as D.G. of Police

For orders

55) Chief Min) Hand 26/2/50.

56) Sri Ganapathy Iyer had met me this morning we may wait till 1st March to finalise.

Kilo 27/2

57) Please fix up Tomorrow Evening Council mtg. time

58) Discussed with C.M. Today Please write to Mr. E V. Ganapathy Iyer telling him to Expedite his leave till 6-3-50.

WD 06829—GPB—25,000—26-7-49

6858 CM

6846. 27/2

1/3 xxx xmh 2/3/50

4029 Posting of Officers – Extension of p.l granted to Sri E.V Ganapathi Iyer.

FL

General and Revenue Secretariat

File No. 2964 of 195

App F. III—2

CB

Serial No.	
	Subd
	59) Draft notification sanctioning the leave to Sri E.V. Ganapathi Iyer is put for approval. It is ascertained from the Audit Office that the officer has at his credit privilege leave to cover the proposed period of extension.
	mb 2/3/50
	Sri 2.3.50.
	60) Draft and fair of letter to Sri E.V. Ganapathi Iyer are put up as per instructions.
	mb 4/3/50
	Sri 4.3.50 61) Normally it should now, after all the delay, We may gazette it, once for all.
	MB 4/3/50
	62) Subd The draft notification proposed in Para 59 above is for approval.
	mb 6/3/50
	Letter no. A1 Misc 49-50 dt 8-3-50 from the Director of Stc requesting that Sri E.V. Ganapathi Iyer may be treated as on duty from 27-2-50
	63) Sri E.V. Ganapathi Iyer could not join duty on the 27th Feb 50 the day

CHIEF SECRETARY
4 MAR 1950
GOVT. OF MYSORE

NOTE—Contn. Sheet.

WD 4509—GBPM—1,000—28-10-40.

Serial

the leave granted to the officer expired as the orders regarding his posting as Dy Dte were ~~communicated~~ stated * to have been communicated to him on the 9th march 50. The officer is stated to have assumed charge of ~~the duties of the office~~ the office of the Director of Dte on the 8th march 50. But in his letter dt 8-3-50, Sri E.V. Ganapathi Iyer represents that he may be considered to have been on duty from 27-2-50 ~~and be entitled to the salary of the General Manager, Mysore State Railway from the same date~~ and the revival of the whole-time General Manager, Mysore State Railway may also be treated as given effect to from that date. The officer's request is contrary to the spirit of orders as Sri R. Ramakrishna was in charge of both the Depts of Ind & Com and the Railways till Sri E.V. Ganapathi Iyer took charge of Dte Dept on the 8-3-50. In similar cases, when ~~offr~~ the officers had to

Serial No.

to wait for orders of Govt regarding their posting, they have been granted the kind of leave they are entitled to. Till orders regarding their posting are passed under the circumstances noted above, it is for orders whether draft notification sanctioning leave for the period from 27-2-50 to 8-3-50 proposed in the preceding para may issue.

sd/
13.3.50

64) This is not an isolated case in which Govt. have found it necessary to grant leave or to extend the leave already granted or to suggest applying for leave to an officer without his seeing it or reading it. The cases of Sri R. Subba Rao Janab Mir Safdar Hussain, Janab Abu Baker, Sri George Matthan Sri R. Seshagiri Rao etc. are all instances in point and have arisen during the last three or four months. No doubt similar cases have arisen in the past and are bound to arise in the future. The point raised in Sri Ganapati Iyer's letter has therefore general application and has to be considered on a general basis. Having regard to the frequency of such cases and the real hardship that it may involve it may be necessary and expedient to devise a new rule for addition

NOTE—Contn. sheet

4121 Cl File No. Grant of leave to Sri E V Ganapathi Iyer of 195 . General and Revenue Secretariat

Serial No.

to M. S. R. providing for granting Compensation leave or for other relief in deserving cases. If approved, this point may be taken up and examined in F. D.

65) Meanwhile, the Notification re: grant of leave to Sri Ganapati Iyer up to 8-3.50 may perhaps issue, Sri Ganapati Iyer being advised that the question of granting Compensation leave or other relief for the period during which his leave was extended at the instance of Govt. is under examination separately.

~~[illegible]~~

Sd
14.3.50.

66) Draft notification put up may issue.

67) The general question referred in para 64 may be examined in the Fin Br.

68) Chief Secy)

KMK
15/3/50

CHIEF SECRETARY 15 MAR 1950 OF MYSORE

69) The notification re leave may issue and a D.O may also go to Sri EVG to say that the question raised by him would be separately

A. examined

70) Chief Minister

16/3

KMK
16/3/50

Office of the Chief Minister
No. 7539
Date of Receipt 16.3.50

71) A. as a general one

7683
23/3

KCR
22/3

23/3
KMK
23/3/50

4029/F-4

General and Revenue Secretariat

Grant of leave to Sri E.V. Ganapathi Iyer

File No. of 195 4121/CB [App. F. III—2

Serial No.

Notification No. 12572/CB Dy 91-49-2/3 Dy 24-3-50

Copies to/the Comptr

i) Sri E.V. Ganapathi Iyer

2) Resubmitted. A draft D.O. letter to Sri E.V. Ganapath Iyer is put up for approval - References Para 69 above.

mnB 27/3/50

3) After issue of the letter, the file may be sent to 7/D for taking extracts for further necessary action - vide paras 64 to 71.

Sri 28.3.50.

4) Draft letter may be approved.

Chief Secy) KSmR 28/3/50

Sri 29/3

KSmR 29.3.50.

D.O. no to 12822/CB Dy 30-3-50 to Sri E.V. Ganapati Iyer B.Sc., Dis Dte

5) Resubmitted. The file may be sent to the Finance Dept for taking extracts of Paras 64 to 71 of the foregoing notes and for taking further action in the matter.

mnB 31/3/50

6) Asst Secy) Fin WC KSmR 1.4.50

Sri 31.3.50.

7) Pl take extract. E.V. Gs letter also of Sri x x x

Sri C.P.M

Dy 4/Resp

NOTE—Contn. Sheet.

WD 4509—GBPM—1,000—28-10-40.

Grant of leave to Sri E.V. Ganapathi Iyer 4/24/CB

4029/H

File No. 4121/CB of 195

General and Revenue Secretariat

Serial

78) Evidence of this file has been taken and this may be returned to CB

CB 12/4/50

11/4 11/4 CB)

79) The grant of compensation leave or any other relief to officers who are granted leave in the interest of public service is being examined by the Finance Dept. Under the circumstances no further action seems to be called for in respect of the request of Sri E.V. Ganapathi Iyer, the file may be closed till a decision is arrived at in the matter,

mb 15-4-50 Sr) Chief Secy) xmR 17.4.50

17.4.50

81) This may be closed & another file has been opened in the F/D.

18/4/50. xmR 18/4/50.

82) The Finance Dept may be requested to intimate how the matter stands before closing this file. A routine note is put up for consideration

mb 18.4.50

Issue xmR 19.4.50

Routine note sent to-day. 19/4

18.4.50. Extracts taken from the HD file (No 417/H) is placed in the file and it may be closed in view of the decision arrived at

mb 9.8.50

by 9/8/50

yes xmR 9/8/50

B

GENERAL & REVENUE SECRETARY 11 APR 1950 CONFIDENTIAL BRANCH

CHIEF SECRETARY 562 18 APR 1950 GOVT. OF MYSORE

SwSW 2963
CB

Sri K. SUBBA RAO, B.A.
Excise Commissioner in Mysore.

NEW PUBLIC OFFICES,

Dated Bangalore, 9th January 1950.

D. O. No. B-350/49

Encls:- Two.

Dear Sri Srinivasan,

I have entered on my duties as Excise Commissioner this day forenoon, cancelling one day's Combined leave, as directed by Government in their Memo No.8063-72/C.B. dated 6th January 1950.

My locum tenens Janab Mahomed Ismail Sheriff did not turn up to nand over charge. Instead he sent me a letter suggesting that I should fully utilise the leave and postpone rejoining duty till at least tomorrow. I enclose herewith, a copy of his letter for the information of Government. It is hardly necessary for me to add that this was a suggestion which I could not possibly take any notice of.

I amso enclose herewith a copy of the Charge Report.

Yours sincerely,

K Subba Rao

To

Sri K. SRINIVASAN, B.Sc.,
Chief Secretary to the Government of
H. H. The Maharaja of Mysore, Bangalore.

D.O.letter dated 9th January 1950 from Janab Mohamed Ismail Sheriff, B.A., Excise Commissioner, etc., Bangalore, to Sri K.Subba Rao, B.A., Excise Commissioner (On leave).

With reference to your letter of the 7th instant intimating that you propose to take charge to-day at 11 A.M., I write to inform you that I understand that Janab Mir Safdar Husein has protested against the grant of leave to him and is not proceeding on leave. The question is said to be under the active consideration of Government.

As I shall have no joining time, I request that you need not cancel today's leave but join once for all by tomorrow morning. I shall have everything ready by then.

With regards,

"C O P Y"

Yours sincerely,
Excise Commissioner in Mysore,
Bangalore.

mdm.

Form 12, M. C. A. C., Vol. I]

REPORT OF TRANSFER OF CHARGE BY OFFICERS.

(Vide *Article* 62, *Mysore Civil Account Code, Vol. I.*)

N.B.—This report is not required when the transfer of charge is due to an officer proceeding on casual leave.

No.....

Office of...the Excise Commissioner in Mysore, etc

Station....Bangalore.....

Dated..9th January 1950.

1. Name of relieved officer..Janab [redacted] J Ismail Sheriff, B.A.
2. Designation of relieved officer...Excise Commissioner etc.
3. Name of relieving officer....Sri K. Subba Rao, B.A.,
4. Designation of relieving officer..Excise Commissioner (on leave).
5. Date and hour of transfer of charge....9th January 1950. 11.8 A.M.
6. Autority under which the transfer is made...Vide Ntn. No.8062 C.B.243-49-1 dated 6th January 1950.
7. Reason for transfer of charge.....

Certified that—

(*a*) (1) separate statements showing the details of cash, stamps, opium, ganja, and bill forms in stock (*vide* Article 62 of the Mysore Civil Account Code, Volume I), and

(2) a statement of unadjusted advances and unremedied objections in the prescribed form have been attached to the charge report forwarded to the Comptroller.

(*b*) an acknowledgment of the permanent advance in the prescribed printed form (*vide* Article 103, M. C. A. C., Vol I) will be attached to the next salary bill of the Relieving Officer.

N.B.—Certificate No. (*a*) is required in cases of transfer of charge of Taluk Treasuries by Amildars and of District Treasuries by Deputy Commissioners

Signature of relieved officer.

Signature of relieving officer.

These should be signed by relieving officer.

P.T.C.

SuVIIS 2964
CB

Janab Mir Safdar Hussain, B.A.,
Commissioner.

GOVERNMENT OF MYSORE.
Department of Labour.

Office of the Commissioner of Labour
in Mysore,
No.5, Infantry Road,
Bangalore, the 9th Jan.'50.

No. A1/Per/3477/49-50. Dated,

Dear Sri.Srinivasan,

I write to acknowledge the receipt of Government Notification bearing No.8073/C.B. 243-49-2 dated 7th January 1950 which reached me in my Mysore Camp on Sunday, stating that I am granted one month's Privilege leave from the date of relief. In this connection I write to state that as personally intimated to you I request you to submit to Government for consideration that I am not in need of leave just at present nor have I applied for it.

Yours Sincerely,

Mir Safdar Hussain

9.1.50.

Sri.K.Srinivasan, B.Sc.,
Chief Secretary to Government of Mysore,
Public Offices,
Bangalore.

MAHMOOD SHARIFF, B.A., LL.B.,
Minister for Public Health and Excise.

BANGALORE,

Dated...January...8,1945

Immediate

My dear Dasappa,

You may remember that last Wednesday when the question of forcing leave on Mr.Mir Safder Husain was mooted in the Council, I opposed the proposal stating that leave cannot be forced upon an unwilling officer. I mentioned the same thing to Sri Bahshyam too. At the end of the meeting, since the matter was shelved that day, I told you that the matter should be reconsidered and you promised that this would be done. I now understand that orders have been issued to Mr. Safder Husain to take leave. I strongly feel that the whole thing has been hustled through and I request that this may be taken up as the first subject on Wednesday when the Council meets and till then the order may be kept in abeyance.

Yours sincerely,
Sd/ Mahmood Sheriff,

Chief Secy
Keep it in abeyance

Sri H.C.Dasappa, B.A.,B.L.,

"Copy"

Minister for Public Health & Excise.

Rec'd at 8.30 p.m. K-Subba Rao
Today Sir. Taken charge this morning
9.1.50

2980
CB

Sri K. SUBBA RAO, B.A.
Excise Commissioner,
Registrar of Associations and
Chief Conciliator in Mysore.

NEW PUBLIC OFFICES,

Dated Bangalore, 9th Jany. 1950.

D.O.No.Bl-350/49.

Dear Sri Srinivasan,

After the despatch of my D.O.letter No.Bl-350/49 dated 9-1-1950 to you, Janab Mahomed Ismail Sheriff came to the Office and signed the Charge Report of which. I enclose a copy for the information of -- Government.

36
CB.
115
9.1.50
9.1.50.

Yours sincerely,

K Subba Rao

To

Sri K. Srinivasan, B.Sc.,
Chief Secretary to the Government of
H. H. The Maharaja of Mysore,
Bangalore.

Form 12, M. C. A. C., Vol. I]

REPORT OF TRANSFER OF CHARGE BY OFFICERS.

(Vide *Article* 62, *Mysore Civil Account Code, Vol. I.*)

N.B.—This report is not required when the transfer of charge is due to an officer proceeding on casual leave.

No. B1-350/49. Office of Excise Commissioner in Mysore,
Station Bangalore.
Dated 9-1-1950.

1. Name of relieved officer Janab Mahomed Ismail Sheriff, B.A.,
2. Designation of relieved officer Excise Commissioner etc.,
3. Name of relieving officer. Sri K. Subba Rao, B.A.,
4. Designation of relieving officer Excise Commissioner (or Leave).
5. Date and hour of transfer of charge 9th January 1950. A.M.
6. Autority under which the transfer is made Vide Notification No.8062/C.B.249-49-1 dated 6th Jan.50.
7. Reason for transfer of charge

Certified that—

(*a*) (1) separate statements showing the details of cash, stamps, opium, ganja, and bill forms in stock (*vide* Article 62 of the Mysore Civil Account Code, Volume I), and

(2) a statement of unadjusted advances and unremedied objections in the prescribed form have been attached to the charge report forwarded to the Comptroller

(*b*) an acknowledgment of the permanent advance in the prescribed printed form (*vide* Article 103, M. C. A. C., Vol I) will be attached to the next salary-bill of the Relieving Officer.

N.B.—Certificate No. (*a*) is required in cases of transfer of charge of Taluk Treasuries by Amildars and of District Treasuries by Deputy Commissioners

Signature of relieved officer.

Signature of relieving officer.

These should be signed by relieving officer.

P.T.O.

Slives 412 B CB

C. F. No. 45]

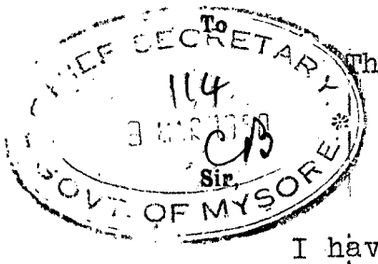
GOVERNMENT OF MYSORE

Tele gram / phone

OFFICE OF
The Director of Industries and
Commerce in Mysore,

No. AI. Misc./49-50
Encls.

Bangalore, Date 8th March 1950.



To
The Chief Secretary to the Government of Mysore,
Bangalore.

Sir,

I have the honour to state that pursuant to Government Notification No. 11756/CB.307-49-1 dated 6th March 1950 (which I received on the evening of 7th March 1950), I have today taken charge as Director of Industries and Commerce. A formal Charge Report has been submitted to Government separately.

In this connection, I may state that the Privilege Leave of 8 weeks sanctioned to me in Government Notification No.603/CB.91-49-1 dated 21st September 1949, expired on 26th February 1950 (a Sunday) and I was therefore due to join duty on the 27th February 1950. Accordingly, I reported myself to the Mysore ~~Service~~ Government on the 27th February forenoon, and I called upon the Chief Secretary as also the Hon'ble Chief Minister. In my D.O. letter dated 5th September 1949 I had requested that orders of Government regarding my new appointment on reversion to Mysore Service be obtained by the 15th of February. Earlier, On the 17th February, immediately on my return from leave, I called upon you and requested you to obtain early orders of Government regarding my posting, as I was to report myself for duty on the 27th February on the expiry of the leave, and I also called upon the Hon'ble Minister for Finance and Industries and advised him of my return and the date I was to report for duty. Immediately, on the receipt of the Government Notification mentioned above on 7th March 1950, I have entered upon the duties of the Director of Industfies and Commerce. In the circumstances, I request that orders of Government may kindly be obtained treating me as on duty with effect from the 27th February 1950 and the revival of the whole-time General Manager, Mysore State Railway may also be treated as given effect to from the same date in order to regularise matters and avoid any audit objection.

P.T.O.

GOVERNMENT OF HIS HIGHNESS THE MAHARAIA OF MYSORE

No. 2603/CB 91-49-1

General and Revenue Secretariat,

Dated, Bangalore 21st Sept *194*9

NOTIFICATION.

Under Article 171 of the Mysore Service Regulations Sri.E.V.Ganapathi Iver. B.Sc., Inspector General of Police ~~doing duty as Director of Sandal Oil and Special Officer Surplus Stores (Disposals)~~ doing duty as Director, Indian Institute of Science, Bangalore is granted privilege leave of absence for Eight Weeks in continuation of combined leave for three months and nineteen days granted to him by the Indian Institute of Science with effect from 13th instant or the date of availment.

By Order,

Sd/- M.Ramaswamy Iyengar

Chief Secretary to Government

Draft

To

The Compiler, Mysore Gazette. for publication.

RL/-

D. 24-3-50

Draft Notification

12573/2/CS 91-49-2/3

The privilege leave of absence for a period of 8 weeks granted in Notification no. 2603/C.B 91-49-1 dt 21-9-49 to Sri G.V. Ganapathi Iyer, B.Sc D Gr. of Police who was doing duty as Director Indian Institute of Science is extended upto ~~to~~ 8.3-50

with copy placed below

B.O. dt 14.11

16/3

Asst Secy

12573-74/CS
SCMR
15/3/50.

To The Comptroller, M.G

Copy w/cs to the Comptroller

" to Sri G.V. Ganapathi Iyer.

2/3

2.3.50

XZXZXZXZXZXZXZXZXZXZXZXZXZ XZ

VERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. 12572/C.B.91-49-2

General and Revenue Secretariat.

Dated, Bangalore 24th March *1950*

NOTIFICATION.

The Privilege leave of absence for a period of 8 weeks granted in Notification No.2603/C.B.91-49-1 dated 21st September 1949 to Sri E.V. Ganapati Iyer, B.Sc., Inspector-General of Police who was doing duty as Director Indian Institute of Science is extended up to 6th March 1950

By Order of His Highness the Maharaja.

(Sd) K. SRINIVASAN,

Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication.

Memo No.

Copy forwarded with compliments, to:

1. The Comptroller to Government of Mysore, B'lore
2. Sri E.V. Ganapati Iyer, B.Sc.

25/3/50

Chief Secretary to Government.

Appendix F. G.—1]

SUBJECT.....

.....

.....

Section

File No.

Serial No.

Diary No. of letter replied to..... D. No. 12822/50

To Dear Sir,

I am directed to invite reference to your letter no. A1. Misc/49-5 dy 8-3-50 and the Notification no 12572/CB 9-49-2 dy 24-3-50 sanctioning privilege leave to you till 8-3-50 and to state that the Rules do not permit treating you as on duty with effect from 27-2-50 ~~as requested by you~~ when you had not yet assumed charge of the office. I am to add that the question of granting ~~any~~ compensation leave or other relief to in the ~~case of officers who have~~ case of officers who are ~~granted~~ ~~inconvenienced undeservedly~~ by ~~grant~~ the grant of leave in the interests of public service is under active consideration ~~of Govt~~ separately as a general question.

Yours sincerely,

Sri E.V. Ganapati Iyer,
Dist Etc

Date of issue.....

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

WD 06171—GPB—30,000—4-6-49

30th March 1950.

D.O.No.- 12822/CS

Dear Sir,

I am desired to invite reference to your letter No.Al. Misc/49-50 dated 8-3-1950 and the Notification No.12572/CB. 91-49-2 dated 24-3-1950 sanctioning privilege leave to you till 8-3-1950 and to state that the rules do not permit treating you as on duty with effect from 27-2-1950 when you had not yet assumed charge of the office.

I am to add that the question of granting compensation leave or other relief in the case of officers who are granted leave in the interests of public service is being examined separately as a general question.

Yours sincerely,

Sri E.V.Ganapathi Iyer, B.Sc.,
Director of Industries & Commerce,
Bangalore.

nd

Extract from file (2189/CB) 417/71 which is being referred to the Hon Branch:

13) Articles 122(a) and 140 of M.S.R read as follows:

"122 (a) Leave of absence can never be claimed as of right. Nothing in these Regulations must be understood to limit the free discretion of Government to refuse, or revoke, leave of absence of any description, at any time, according to the exigencies of the public service.

"140. An Officer, is not entitled, at the end of leave of four months' duration to resume, as a matter of course, without further orders, the particular appointment which he vacated before his leave. He should report his return to duty and await orders.

"A Gazetted Officer must report his return to duty to Government.

14) Again Art. 138 reads as:

An Officer may not, without the permission of the authority which granted him leave, return to duty more than fourteen days before the end of leave of over four months' duration.

15) The corresponding articles in C.S.R. are as below:

223 (a)

An officer may not, without the permission of the authority which granted him leave, return to duty more than fourteen days before the end of Long Leave

226. An Officer is not entitled, at the end of Long Leave, to resume as a matter of course, without further orders, the particular appointment which he vacated before leave. He should report his return to duty as prescribed in Article 228 and await orders.

16) Art. 138 M.S.R. and Art. 223 C.S.R. extracted above openly preclude an officer from returning to duty more than 14 days before the end of leave of over 4 months duration. By implication, this means that Government do require sometime to effect the necessary adjustments before an officer returning from long leave could be taken back to duty. Art.140 M.S.R. corresponding to Art. 226 C.S.R., both extracted above, clearly show that the officer should report his return to duty after long leave, and "await orders". Although this particular

Article may refer to the question of the officer joining the same appointment as he left at the time of his going on leave, the broader object is embedded in the articles viz., that the Government should be given sometime before deciding upon the place to be given to the officer.

17) Then again, Article 122 (a) M.S.R. confers unfettered discretion on Government to refuse or revoke leave of absence of any description at any time, according to the exigencies of of public service. By inference, refusal and revocation, must be held as comprehending a requisition of an officer to extend his leave.

18) Thus, the rules as they stand give any amount of latitude to Government in matters regarding leave, and the sole determining factor is the "exigencies" of public service. There is little scope for any officer to question this discretion of Government by asking for any kind of leave, either by way of compensation or otherwise, merely because his posting was delayed for sometime.

19) As noted by the Confidential Branch, cases of this type have been there and are likely to arise in future also, and no rule to cover such cases is considered necessary in the light of the explanation given above. An equally senior Head of a Department, Sri K. Subba Rao is stated to have been asked to extend his leave, but he does not seem to have claimed any compensation for the leave which he did not require but which he took at the instance of Government. There is accordingly no need to devise any rule to cover cases of the kind, especially when a claim like this is seen to have come up for the first time.

20) Nevertheless, as noted by the Finance Department on occasions more than one in several other files, it is necessary not only in the interests of economy but also of efficiency and in the interests of the officers themselves that the postings should not be unduly delayed.

Id/ S.K
19/6/1950

Finl.Secy)

DRAFT I.

No.

NOTIFICATION.

The following transfers of officers in the cadre of Deputy Commissioners are ordered in the interests of the Public Service:-

Name of Officer.	Present Charge.	Charge to which posted.
(1) Sri K.M.Narasimiah, B.A.	Secretary to Govt., Education Department.	General Manager, Mysore Govt. Road Transport Dept;
(2) Janab Mir Safdar Hussain, B.A.,	(on leave)	Secretary to Govt., Education Department.

BY ORDER,

CHIEF SECRETARY TO GOVERNMENT.

To

The Compiler, Mysore Gazette, for publication.

Memo No.

Copy w/c to the Comptroller to the Govt. of Mysore through the Financial Secretariat. The post of Deputy General Manager, Mysore Govt. Road Transport is abolished with effect from the date on which Sri K.M. Narasimiah takes charge as General Manager.

and Sri D. Venkataswamy will revert to the Ry. Depn

2. The General Manager, Road Transport Department
3. The General Manager, Mysore StateRailway.
4. The Revenue Commissioner in Mysore.

Copy to i) Traffic Board,
ii) Accounts Branch,
iii) Education Branch.
iv) Ry. Branch. for further actn re. transferring of Sri Venkataswamy

6.2.50.

6/2/50.

DRAFT II.

NO.

NOTIFICATION

The following transfers of officers in the cadre of Deputy Commissioners are ordered in the interests of the public Service:-

Name of Officer.	Present Charge.	Charge to which posted.
1. Sri K.M. Narasimiah, B.A.,	Secretary to Govt., Education Department.	General Manager, Mys.Govt Road Transport Department
2. Janab Mir Safdar Hussain, B.A.,	(on leave)	~~General~~ Secretary to Govt General Dept#
3. Sri A.C. Nirvani Gowda, B.A.,	~~General~~ Secretary to Govt. General Dept#	Secretary to Govt., Education Deptt.,

BY ORDER,

CHIEF SECRETARY TO GOVT.

To

The Compiler, Mysore Gazette, for publication.

Memo No.

Copy w/c to the Comptroller to the Govt. of Mysore through the Financial Secretariat. The post of Deputy General Manager, Mysore Govt. Road Transport Department, is abolished with effect from the date on which Sri K.M. Narasimiah takes charge as General Manager. Sri D. Venkataswamy will revert to the Rly Dept#

2. The General Manager, Road Transport Department.

3. The General Manager, Mysore State Railway.

4. The Revenue Commissioner in Mysore, Bangalore.

Copy to: i) Traffic Board, ii) Accounts Branch; iii) Education Branch; iv) Rly Branch for further action as regards posting of Sri D. Venkataswamy

6.2.50.

6/2/50

Draft III:

No.

NOTIFICATION

The following transfers of officers in the cadre of Deputy Commissioners are ordered in the interests of the Public Service:-

Name of Officer.	Present charge	Charge to which posted.
L. Sri K.M. Narasimiah, B.A.,	Secretary to Govt., Education Department.	General Manager, Mysore Govt. Road Transport Department.
2. Janab Mir Safdar Hussain. B.A.,	(On leave)	Secretary to Govt., P.H., Food & C.S. Deptts.
3. Janab A.S. Khaleel, B.A., B.L.,	Secretary to Govt., P.H.,Food & C.S. Deptts.	Secretary to Govt., Education Department

BY ORDER,

CHIEF SECRETARY TO GOVERNMENT.

To

The Compiler, Mysore Gazette for publication.

Memo No.

Copy w/c to the Comptroller to the Govt.of Mysore, through the Financial Secretariat. The post of Deputy General Manager, Mysore Gavt. Road Transport is abolished with effect from the date on which Sri K.M.Narasimiah takes charge as General Manager. + Sri D. Venkatadasamy will report to the Rev. Deptt

2. The General Manager, Mysore Govt.Road Trans.Deptt

3. The General Manager, Mysore State Railway.

4. The Revenue Commissioner in Mysore,

Copy to i) Traffic Board, ii) Accounts Branch; iii) Education Branch. iv) Rly. Branch for further action re the posting of Sri D. Venkatadasamy

1.2.50. 10/2/50.